



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

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In Reply Refer To:

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U-69204

U-69216

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JUL 07 2005

Certified Mail Number 7003 1010 0005 1876 0434

Return Receipt Requested

Mr. John Hewitt
Interstate Brick
9780 South 5200 West
West Jordan, UT 84088-5625

RECEIVED

JUL 07 2005

DIV. OF OIL, GAS & MINING

Dear Mr. Hewitt:

On January 20, 2003, your Notice to conduct clay mining activities at the Jim Gay and Smokey Joe Mines expired. On June 1, 2005, you received a letter from this office requesting immediate reclamation of both areas because you had not submitted a mine plan to continue operations under Bureau of Land Management's (BLM) mineral material disposal regulations at 43 CFR 3600.

On June 13, 2005, we received a letter from you, in which you stated that Interstate Brick (IB) would like to continue mining at both locations. You stated that IB has been approved by the Utah Division of Oil, Gas and Mining (UDOGM) to conduct mining related activities at the Jim Gay Mine on lands which include the BLM portion of the mine.

Please be advised that the BLM has not received, nor approved, any plan from IB to conduct additional mining-related activities at either the Jim Gay or Smokey Joe Mines on BLM lands. Any such activity would require that IB submit a complete mine plan to the BLM for each location so that the BLM could prepare an Environmental Assessment for the proposed activities and approve IB's plan(s). No such approvals have been given by the BLM.

Because both Notices have expired without any attempt by IB to acquire a new authorization with the BLM to continue mining under BLM regulations at 43 CFR 3600, we hereby reiterate our request that immediate reclamation of the Jim Gay and Smokey Joe Mines occur, as outlined in the letter you received on June 1, 2005.

If IB wishes to continue extracting clay from either the Jim Gay or Smokey Joe Mine areas, you must provide a complete mine plan for each location to this office within 60 days of receipt of this letter. We will also require that you first provide an interim reclamation bond in an amount sufficient for the BLM to hire a third-party contractor to reclaim BLM lands at each location in the event that IB fails to provide a timely mine plan. If IB fails to provide the required mine plan, the BLM would use these monies to complete reclamation of both the Jim Gay and Smokey Joe Mines during the fall of 2005.

We look forward to resolving this issue as soon as possible. If you have any questions, or require additional information, please feel free to contact Michael Ford of my staff at (801) 977-4360.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael D. Helms", though the caption identifies the signatory as David H. Murphy.

David H. Murphy
Assistant Field Manager,
Non-Renewable Resources

cc: Daron Haddock
Utah Division of Oil, Gas and Mining
1594 West North Temple, Suite 1210
Box 145801
Salt Lake City, UT 84114-5801